

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

Crl.MC.No. 493 of 2007()

CRMP.329/2007 of SESSIONS COURT, ALAPPUZHA
CRIME NO.227/2005 OF MARARIKKULAM POLICE STATION
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PETITIONER: COMPLAINANT

STATE OF KERALA, THROUGH THE DEPUTY
SUPERINTENDENT OF POLICE, CRIME DETACHMENT,
ALAPPUZHA REPRESENTED BY THE ADDITIONAL
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR

RESPONDENTS: ACCUSED NO.3

SAJU @ MRUGAM SAJU, 29 YEARS,
S/O.RAJAPPAN, KALATHIKKARA VEEDU, WARD NO.VII,
PALLIPPURAM PANCHAYAT, P.O.CHERAI, ERNAKULAM DT.

BY ADV. SRI.B.RAMAN PILLAI

SRI.R.ANIL

SRI.ANIL K.MOHAMMED

SRI.RAJU RADHAKRISHNAN

SRI.T.K.KUNHABDULLA

ADDITIONAL DIRECTOR GENERAL OF PROSECUTIONS SRI.V.K.MOHANAN

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD
ON 21/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

Crl.M.C.No. 493 of 2007

Dated this the 23rd day of February, 2007

ORDER

Heard the learned Public Prosecutor. The learned Public Prosecutor submits that the court below erred grossly in equating the petitioner with accused 1,2 and 4. His complicity must be equated to that of Accused 6 and 7. This aspect was not really taken into consideration by the learned Sessions Judge. This criminal miscellaneous case is in these circumstances admitted. Issue emergent notice to the respondent/third accused. If the third accused has not already been released from custody, he shall not be released until further orders.

2. Call on 26/02/2007. The learned Public Prosecutor shall ensure that emergent notices are taken out to the third accused as also to his counsel who is appearing before the court below.

3. The registry shall convey this direction to the learned Magistrate concerned forthwith.

(R. BASANT)
Judge

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